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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE MAY 14 2004

OFFICIAL

Applicant : Philip T. Dempster
Application no. : 10/036,161
Confirm. no.: : 3996
Filed : December 31, 2001
For : CALIBRATION METHODS AND APPARATUS
FOR PLETHYSMOGRAPHIC MEASUREMENT
CHAMBERS
Group art unit : 2863
Examiner : Tung S. Lau

OFFICIAL FACSIMILE TRANSMITTAL

TO:

Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

FACSIMILE NUMBER:

703.872.9306

THE SENDER IS:

Douglas A. Oguss
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FISH & NEAVE
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Fax. (212) 596-9090 (New York)

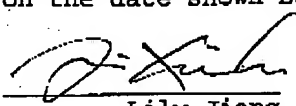
CLIENT NO.:

002294.0003

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below, pursuant to 37 C.F.R. § 1.6(d).

May 14, 2004
Date


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TOTAL NUMBER OF PAGES, INCLUDING COVER LETTER 11

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MAY 14 2004
OFFICIAL PATENTS
LM-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip T. Dempster
Application No.: 10/036,161 Confirmation No.: 3996
Filed : December 31, 2001
For : CALIBRATION METHODS AND APPARATUS FOR
PLETHYSMOGRAPHIC MEASUREMENT CHAMBERS
Examiner : Tung S. Lau
Group Art Unit : 2863

VIA FACSIMILE

Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

March 31, 2004
Palo Alto, CA

REQUEST FOR ACKNOWLEDGMENT OF RECEIPT AND CONSIDERATION OF
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant filed a supplemental information disclosure statement with the USPTO on July 11, 2003. USPTO records show receipt of the document. However, applicants have not received the Examiner's acknowledgement that the references have been considered on Form PTO-1449.

Applicant encloses herewith a copy of the supplemental information disclosure statement filed on July 11, 2003, and a copy in duplicate of Form PTO-1449 and request the examiner's acknowledgement.

Respectfully submitted,



Douglas A. Oguss
Registration No. 48,469
Agent for Applicant

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1251 Avenue of the Americas
New York, NY 10020-1105
(650) 617-4000

DOCKET NO.

LM-003

CONFIRMATION NO.

3996

APPLICANT Philip T. Dempster

APPLICATION NO. 10/036,161

FILED December 31, 2001

RECEIPT IS HEREBY ACKNOWLEDGED OF THE
Transmittal Letter (in duplicate); Supplemental Information Disclosure Statement; Form
PTO-1449 (in duplicate); Three (3) References

DATED

July 11, 2003

FILED IN CONNECTION WITH THE ABOVE CASE.

COMMISSIONER FOR PATENTS

RECEIVED
CENTRAL FAX CENTER

MAY 14 2004

OFFICIAL

Rev. 04/01
PATENTS

Docket No. LM-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip T. Dempster
Application No.: 10/036,161 Confirmation No.: 3996
Filed : December 31, 2001
For : CALIBRATION METHODS AND APPARATUS FOR
PLETHYSMOGRAPHIC MEASUREMENT CHAMBERS
Group Art Unit : 2863

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith is a Supplemental Information Disclosure Statement in the above-identified application. This Statement is submitted more than three months from the application filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

In accordance with 37 C.F.R. § 1.97, this Statement is accompanied by:

☒ a certification as required under 37 C.F.R.

§ 1.97(e)(1) or § 1.97(e)(2);

☐ the fee as set forth in 37 C.F.R. § 1.17(p).

The Director is hereby authorized to charge payment of any additional fees required in connection with the accompanying Information Disclosure Statement, or credit any overpayment, to Deposit Account No. 06-1075. A duplicate copy of this letter is transmitted herewith.

Respectfully submitted,



Douglass A. Oguss
Registration No. 48,469
Agent for Applicant

FISH & NEAVE
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (650) 617-4000

I hereby Certify that this Correspondence is being Deposited with the U.S. Postal Service as First Class Mail in an Envelope Addressed to: RCM, COMMISSIONER FOR PATENTS, P.O. BOX 1450, Alexandria, VA 22313-1450 on:

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Date of Deposit
Lorraine Cole
Name of Person Signing
Lorraine Cole
Signature of Person Signing
7-11-03
Date of Signature

LM-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip T. Dempster
Application No.: 10/036,161 Confirmation No.: 3996
Filed: : December 31, 2001
For: : CALIBRATION METHODS AND APPARATUS FOR
PLETHYSMOGRAPHIC MEASUREMENT CHAMBERS
Group Art Unit : 2863

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98,
applicant hereby makes the following documents of record in
the above identified application: *

U.S. Patents

| | | |
|-----------|---------|------------------|
| 4,676,253 | 06/1987 | Newman et al. |
| 4,539,997 | 09/1985 | Wesseling et al. |
| 4,406,289 | 09/1983 | Wesseling et al. |

Copies of the aforementioned documents, which are
listed on the accompanying Form PTO-1449 (submitted in
duplicate), are enclosed herewith.

* Applicant reserves the right to challenge the status of any
of the cited documents as prior art.

It is respectfully requested that these documents be (1) fully considered by the Patent and Trademark Office during the examination of this application; and (2) printed on any patent that may issue on this application. Applicant requests that a copy of Form PTO-1449 (submitted in duplicate herewith), as considered and initialed by the Examiner, be returned with the next communication.

An early and favorable action is respectfully requested.

Respectfully submitted,

I hereby Certify that this Correspondence is being Deposited with the U.S. Postal Service as First Class Mail in an Envelope Addressed to : EOM, COMMISSIONER FOR PATENTS, P.O. BOX 1450, Alexandria, VA 22313-1450 on:

7-11-03

Date of Deposit

Lorraine Cole

Name of Person Signing

Signature of Person Signing

7-11-03

Date of Signature

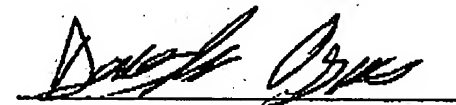


Douglas A. Oguss
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Agent for Applicant

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1251 Avenue of the Americas
New York, N. Y. 10020
(650) 617-4000

CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (1)

Each item of information contained in this Supplemental Information Disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing of this statement.



Douglas A. Oguss
Registration No. 48,469
Agent for Applicant

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
LM-003SERIAL NO.
10/036,161INFORMATION DISCLOSURE
STATEMENT BY APPLICANTAPPLICANT
Philip T. D mpsterFILING DATE
December 31, 2001GROUP
2863

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|--------------------|---------|------------------|-------|----------|----------------------------------|
| | 4,676,253 | 08/1987 | Newman et al. | | | |
| | 4,539,997 | 09/1985 | Wesseling et al. | | | |
| | 4,406,289 | 09/1983 | Wesseling et al. | | | |
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FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|---------------------|--------------------|------|---------|-------|----------|-------------|----|
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| EXAMINER INITIAL | |
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EXAMINER

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| | | | |
|--------------------------------------------------|------------------------------------------------------------|----------------------------------|--------------------------|
| FORM PTO-1449 | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. LM-003 | SERIAL NO. 10/036,161 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | APPLICANT Philip T. Dempster | |
| | | FILING DATE December 31, 2001 | GROUP 2863 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|--------------------|---------|------------------|-------|----------|----------------------------------|
| | 4,676,253 | 06/1987 | Newman et al. | | | |
| | 4,539,997 | 09/1985 | Wesseling et al. | | | |
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| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|---------------------|--------------------|------|---------|-------|----------|-------------|----|
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EXAMINER

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Confirmation Report - Memory Send

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 Start time : Mar-31 04:20pm
 End time : Mar-31 04:22pm
 Pages sent : 010
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Job number : 988

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 Alexandria, Virginia 22313-1450

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THE SENDER IS:

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CLIENT NO.:

002294.0003

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 pursuant to 37 C.F.R. § 1.5 (d).

March 31, 2004
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[Signature]
 Billy J. Jang

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